

Bill No. SB 1034

Barcode 141718

CHAMBER ACTION

Senate

House

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The Committee on Education (Baker) recommended the following amendment:

Senate Amendment (with title amendment)

On page 3, line 3, through page 7, line 30, delete those lines

and insert:

4. Maintain satisfactory conduct and, if a student is convicted of, or is found to have committed, a felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in ~~interscholastic~~ extracurricular activities is contingent upon established and published district school board policy.

District school boards are encouraged to establish a process to waive the requirements of this paragraph based on extenuating circumstances of an individual student. The State Board of Education shall approve each school district's waiver process prior to implementation.

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1 (b) Any student who is exempt from attending a full
 2 school day based on rules adopted by the district school board
 3 for double session schools or programs, experimental schools,
 4 or schools operating under emergency conditions must maintain
 5 the grade point average required by this section and pass each
 6 class for which he or she is enrolled. The establishment and
 7 approval of the waiver process pursuant to paragraph (a) shall
 8 apply to the requirements of this paragraph.

9 (c) An individual home education student is eligible
 10 to participate at the public school to which the student would
 11 be assigned according to district school board attendance area
 12 policies or which the student could choose to attend pursuant
 13 to district or interdistrict controlled open enrollment
 14 provisions, or may develop an agreement to participate at a
 15 private school, in the ~~interscholastic~~ extracurricular
 16 activities of that school, provided the following conditions
 17 are met:

18 1. The home education student must meet the
 19 requirements of the home education program pursuant to s.
 20 1002.41.

21 2. During the period of participation at a school, the
 22 home education student must demonstrate educational progress
 23 as required in paragraph (b) in all subjects taken in the home
 24 education program by a method of evaluation agreed upon by the
 25 parent and the school principal which may include: review of
 26 the student's work by a certified teacher chosen by the
 27 parent; grades earned through correspondence; grades earned in
 28 courses taken at a community college, university, or trade
 29 school; standardized test scores above the 35th percentile; or
 30 any other method designated in s. 1002.41.

31 3. The home education student must meet the same

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1 residency requirements as other students in the school at
2 which he or she participates.

3 4. The home education student must meet the same
4 standards of acceptance, behavior, and performance as required
5 of other students in extracurricular activities.

6 5. The student must register with the school his or
7 her intent to participate in ~~interscholastic~~ extracurricular
8 activities as a representative of the school before the
9 beginning date of the season for the activity in which he or
10 she wishes to participate. A home education student must be
11 able to participate in curricular activities if that is a
12 requirement for an extracurricular activity.

13 6. A student who transfers from a home education
14 program to a public school before or during the first grading
15 period of the school year is academically eligible to
16 participate in ~~interscholastic~~ extracurricular activities
17 during the first grading period provided the student has a
18 successful evaluation from the previous school year, pursuant
19 to subparagraph 2.

20 7. Any public school or private school student who has
21 been unable to maintain academic eligibility for participation
22 in ~~interscholastic~~ extracurricular activities is ineligible to
23 participate in such activities as a home education student
24 until the student has successfully completed one grading
25 period in home education pursuant to subparagraph 2. to become
26 eligible to participate as a home education student.

27 (d) An individual charter school student pursuant to
28 s. 1002.33 is eligible to participate at the public school to
29 which the student would be assigned according to district
30 school board attendance area policies or which the student
31 could choose to attend, pursuant to district or interdistrict

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1 controlled open-enrollment provisions, in any ~~interscholastic~~
 2 extracurricular activity of that school, unless such activity
 3 is provided by the student's charter school, if the following
 4 conditions are met:

5 1. The charter school student must meet the
 6 requirements of the charter school education program as
 7 determined by the charter school governing board.

8 2. During the period of participation at a school, the
 9 charter school student must demonstrate educational progress
 10 as required in paragraph (b).

11 3. The charter school student must meet the same
 12 residency requirements as other students in the school at
 13 which he or she participates.

14 4. The charter school student must meet the same
 15 standards of acceptance, behavior, and performance that are
 16 required of other students in extracurricular activities.

17 5. The charter school student must register with the
 18 school his or her intent to participate in ~~interscholastic~~
 19 extracurricular activities as a representative of the school
 20 before the beginning date of the season for the activity in
 21 which he or she wishes to participate. A charter school
 22 student must be able to participate in curricular activities
 23 if that is a requirement for an extracurricular activity.

24 6. A student who transfers from a charter school
 25 program to a traditional public school before or during the
 26 first grading period of the school year is academically
 27 eligible to participate in ~~interscholastic~~ extracurricular
 28 activities during the first grading period if the student has
 29 a successful evaluation from the previous school year,
 30 pursuant to subparagraph 2.

31 7. Any public school or private school student who has

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1 | been unable to maintain academic eligibility for participation
 2 | in ~~interscholastic~~ extracurricular activities is ineligible to
 3 | participate in such activities as a charter school student
 4 | until the student has successfully completed one grading
 5 | period in a charter school pursuant to subparagraph 2. to
 6 | become eligible to participate as a charter school student.

7 | (4) The student standards for participation in
 8 | ~~interscholastic~~ extracurricular activities must be applied
 9 | beginning with the student's first semester of the 9th grade.
 10 | Each student must meet such other requirements for
 11 | participation as may be established by the district school
 12 | board; however, a district school board may not establish
 13 | requirements for participation in ~~interscholastic~~
 14 | extracurricular activities which make participation in such
 15 | activities less accessible to home education students than to
 16 | other students. Except as set forth in paragraph (3)(c),
 17 | evaluation processes or requirements that are placed on home
 18 | education student participants may not go beyond those that
 19 | apply under s. 1002.41 to home education students generally.

20 | (5) Any organization or entity that regulates or
 21 | governs ~~interscholastic~~ extracurricular activities of public
 22 | schools:

23 | (a) Shall permit home education associations to join
 24 | as member schools.

25 | (b) Shall not discriminate against any eligible
 26 | student based on an educational choice of public, private, or
 27 | home education.

28 | (6) Public schools are prohibited from membership in
 29 | any organization or entity which regulates or governs
 30 | ~~interscholastic~~ extracurricular activities and discriminates
 31 | against eligible students in public, private, or home

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1 education.

2 (7) Any insurance provided by district school boards
3 for participants in extracurricular activities shall cover the
4 participating home education student. If there is an
5 additional premium for such coverage, the participating home
6 education student shall pay the premium.

7 Section 2. Subsection (11) of section 1002.33, Florida
8 Statutes, is amended to read:

9 1002.33 Charter schools.--

10 (11) PARTICIPATION IN ~~INTERSCHOLASTIC~~ EXTRACURRICULAR
11 ACTIVITIES.--A charter school student is eligible to
12 participate in an ~~interscholastic~~ extracurricular activity at
13 the public school to which the student would be otherwise
14 assigned to attend pursuant to s. 1006.15(3)(d).

15 Section 3. Subsection (4) of section 1002.41, Florida
16 Statutes, is amended to read:

17 1002.41 Home education programs.--

18 (4) Home education students may participate in
19 ~~interscholastic~~ extracurricular student activities in
20 accordance with the provisions of s. 1006.15.

21 Section 4. The Department of Education shall gather
22 data regarding the number of students who have been precluded
23 from participating in extracurricular activities due to the
24 provisions of section 1006.15, Florida Statutes, as amended by
25 this act, and their impact on graduation rates and dropout
26 rates. This data shall be reported annually to the Governor,
27 the Speaker of the House of Representatives, and the President
28 of the Senate.

29 Section 5. This act shall take effect January 1, 2006.
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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, lines 11 and 12, delete those lines

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5 and insert:

6 participation; authorizing district school
7 boards to establish a waiver process; requiring
8 the State Board of Education to approve school
9 district waiver processes; amending ss. 1002.33
10 and 1002.41 F.S.; conforming provisions;
11 requiring the Department of Education to
12 annually report data relating to student
13 participation in extracurricular activities;
14 providing

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